

**UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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**No. 96-30452  
Summary Calendar**

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**CHARLES ERNEST VINCENT,**

**Plaintiff-Appellant,**

**versus**

**JACK STEVENSON, Sheriff, St. Bernard Parish;  
FORREST BETHANY, Warden, St. Bernard Parish Prison;  
SGT SHOGAN, Head of Medical,**

**Defendants-Appellees.**

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**Appeal from the United States District Court  
for the Eastern District of Louisiana  
(94-CV-3066 J)**

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January 13, 1997

Before JONES, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:\*

Appellant Charles Ernest Vincent, Louisiana prisoner #109156, appeals the district court's dismissal of his 42 U.S.C. § 1983 action as frivolous under 28 U.S.C. § 1915(e)(2)(B)(I). Vincent argues that the defendants violated his constitutional rights by delaying medical treatment after he reinjured his right leg while getting out of the shower, that the defendants did not

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\* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

take him to his medical appointments at Charity Hospital, that the defendants assigned him to an upper bunk without a ladder, and that the defendants did not provide hand rails or adequate mats in the shower area of the prison. In the district court, Vincent sought only injunctive relief requiring the defendants to provide any necessary medical treatment. While his action was pending, Vincent was transferred from St. Bernard Parish Prison to Hunt Correctional Center. Vincent's transfer to another prison rendered his claim for injunctive relief against the defendants moot. See *Cooper v. Sheriff, Lubbock County, Tex.*, 929 F.2d 1078, 1084 (5th Cir. 1991). Accordingly, the district court's dismissal of Vincent's § 1983 action is affirmed because his action is now moot. See *United States v. McSween*, 53 F.3d 584, 687 n.3 (5th Cir.), cert. denied, \_\_\_ U.S. \_\_\_, 116 S. Ct. 199 (1995).

AFFIRMED.